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or Degrading Treatment
or Punishment

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COMMITTEE AGAINST TORTURE

Twenty-fourth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 410th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 1 May 2000, at 10 a.m.

Temporary Chairman: Mr. GAHAM

Chairman: Mr. BURNS

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* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.410/Add.1.

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The meeting was called to order at 10.10 a.m.

OPENING OF THE SESSION BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL (item 1 of the provisional agenda)

1. Mr. GAHAM (Representative of the Secretary-General, Temporary Chairman) declared open the twenty-fourth session of the Committee against Torture on behalf of the High Commissioner for Human Rights, who was unable to attend since the Preparatory Committee of the World Conference on Racism opened on the same day.

2. The Seventh Meeting of the States parties to the Convention in November 1999 had resulted in a number of changes to the Committee's membership. He commended Mrs. Polajnar-Pavčik on the work she had done over two sessions and Mr. Sørensen on his huge contribution to the Committee's work. He congratulated the two new members, Ms. Gaer and Mr. Rasmussen, on their election and Mr. Burns, Mr. Camara, Mr. González Poblete and Mr. Mavrommatis on their re-election.

3. Since its previous session, four events concerning the Committee had occurred. Firstly, the High Commissioner had appealed for funds to establish plans of action in respect of the three treaty bodies that still did not have one: the Committee against Torture, the Human Rights Committee and the Committee on the Elimination of Racial Discrimination. In the case of the Committee against Torture, the main objective of her appeal had been to increase support for the organizations engaged in the rehabilitation of torture victims. Secondly, the working group on the elaboration of a draft optional protocol to the Convention against Torture had met in October 1999 and had submitted a report (E/CN.4/2000/58) to the Commission on Human Rights, subsequently adopted by its resolution 2000/35. Speedy adoption of the protocol, which provided for a system of regular preventive inspections at places of detention, would significantly reduce the incidence of torture. With regard to the inspection system, it was interesting to note that the seventh report of Sir Nigel Rodley, Special Rapporteur on torture (E/CN.4/2000/9), included an annex setting out guiding principles on the effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment, which would constitute an important tool to complement all the other field investigation techniques in use. Finally, he noted that the process of ratifying the Statute of the International Criminal Court was slow. only eight countries had ratified it to date. Nevertheless, some progress had been made in prosecuting the perpetrators of torture. While the gradual progress made in applying the principle of universal jurisdiction laid down in the Convention against Torture was welcome, it was still insufficient.

SOLEMN DECLARATION BY THE NEWLY ELECTED MEMBERS OF THE COMMITTEE (item 2 of the provisional agenda)

4. Mr. GAHAM (Temporary Chairman) invited the two newly elected members of the Committee to make the solemn declaration provided for in article 14 of the rules of procedure (CAT/C/3/Rev.3).

5. Ms. GAER and Mr. RASMUSSEN solemnly declared that they would perform their duties and exercise their powers as members of the Committee against Torture honourably, faithfully, impartially and conscientiously.

ELECTION OF OFFICERS OF THE COMMITTEE (item 3 of the provisional agenda)

6. Mr. YAKOVLEV nominated Mr. Burns for the office of Chairman.

7. Mr. Burns was elected Chairman by acclamation.

8. Mr. Burns took the Chair.

9. The CHAIRMAN said that the three Vice-Chairmen had declared that they were willing to continue for at least one more term. Noting that no other member of the Committee had been nominated for election as Vice-Chairman, he took it that the Committee wished to elect Mr. Camara, Mr. González Poblete and Mr. Yu Mengjia.

10. It was so decided.

11. Mr. El Masry was elected Rapporteur by acclamation.

ADOPTION OF THE AGENDA (item 4 of the provisional agenda) (CAT/C/56)

12. The provisional agenda (CAT/C/56) was adopted.

SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION (agenda item 6)

13. Mr. BRUNI (Secretary of the Committee) said that 115 initial reports had been due in the period June 1998-April 2000, of which 77 had been submitted; 38 were late, of which 22 were more than four years overdue. Moreover, Belize had not yet submitted the new version of its report requested by the Committee six years previously. Of the 88 second periodic reports due in the period June 1992-April 2000, 52 had been submitted and 36 were late, including 11 that were more than four years overdue. Of the 54 third periodic reports requested for the period June 1996-April 2000, 25 had been submitted and 29 were overdue. Contrary to what was stated in the provisional agenda, the Libyan Arab Jamahiriya had delivered its third periodic report. In addition to the reports that the Committee planned to consider at its twenty-fourth session, eight - those of Australia, Belarus, Canada, Cameroon, Georgia, Greece, Guatemala and the Czech Republic - had been received by the Secretariat and would be considered at a future session. Armenia had requested that consideration of its report be postponed until the November 2000 session. Although the Secretariat automatically sent reminders to States whose reports were more than a year overdue, it had to be admitted that they produced very little effect, for which reason the Secretariat had introduced a new measure: instead of sending a note verbale to each State, it had sent a circular indicating which countries were required to report in 2000. Once made public, that document had aroused several types of reaction among States. In the light of a recommendation made by the meeting of chairpersons of international treaty bodies, the Secretariat had begun drafting a document that provided a complete summary

of States' reporting obligations under the various treaties they had signed, with details of each one's current status. That document, intended to replace the reminders, would be submitted for the Committee's approval during the session.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 5)

14. The CHAIRMAN drew members' attention to the strictly confidential nature of the files containing information received under articles 20 and 22 of the Convention, and asked them to use the greatest discretion in referring to them. He suggested that, subject to the availability of funds, the Committee appoint a representative to attend the day of general discussion on the issue of State violence towards children to be held during the twenty-fifth session of the Committee on the Rights of the Child from 18 September to 6 October 2000.

15. With regard to thematic rapporteurs, he proposed that Ms. Gaer should be rapporteur for women's issues and Mr. Rasmussen rapporteur for children's issues. Mr. Yakovlev would continue for the next two years as rapporteur on discriminatory practices.

16. It was so decided.

17. The CHAIRMAN said that Mr. Mavrommatis and Ms. Gaer were willing to take over Mr. Sørensen's role in representing the Committee at meetings of the open-ended working group on the elaboration of a draft optional protocol to the Convention. Finally, the joint meeting with the administrative board of the United Nations Voluntary Fund for Torture Victims, the UNHCR Special Rapporteur on Questions relating to Torture and the High Commissioner for Human Rights would be held from 11.30 a.m. to 4 p.m. on 16 May, and the press conference would take place at noon on Friday, 19 May.

The public part of the meeting rose at 10.50 a.m.